

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: BERGMANN et al.

Attorney Docket No.: 2582.010

Serial No.: 10/551,298

Examiner: Christine E. Foster

Filed: September 23, 2005

Group Art Unit: 1641

Title: DETERMINATION OF A MIDREGIONAL PROADRENOMEDULLIN PARTIAL  
PEPTIDE IN BIOLOGICAL FLUIDS FOR DIAGNOSTIC PURPOSES, AND  
IMMUNOASSAYS FOR CARRYING OUT SUCH A DETERMINATION

Confirmation No.: 3226

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT UNDER 37C.F.R. §1.142**

Sir:

This is in response to an Office Action mailed December 11, 2007 in connection with the above-identified U.S. patent application. The one-month period for response expires on January 11, 2008. Accordingly, this response is timely filed.

Claims 1-18 were presented at the time of filing and are currently pending in the application, with claims 1-11 being directed to the generic invention. According to the Action of December 11, 2007, the application contains more than one species of the generic invention; the action, therefore, requires election of a representative species selected from the following:

- (a) Sepsis (claims 12-14)
- (b) Cardiac disease (claims 15-16)
- (c) Cancer (claims 17-18)

Applicants hereby elect (b) Cardiac diseases as a representative species of disease. Claims 1-11 and 15-16 read on the elected species.

Applicants note the citation of Bougueleret et al. as prior art in the absence of a translation of Applicants' earliest priority document, the effective filing date of which predates Bougueleret et al. A translation of the priority document will be provided in response to a first Office Action on the merits.

The Examiner is invited to contact Applicants' Attorney at the telephone number given below if further questions arise in connection with this Application.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Kathy Smith Dias", is written over a horizontal line.

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